

REMARKS

Amendments

In addition, claim 1 is amended to delete superfluous language. Claims 14, 36, and 37 are amended to recite that the media contains at least one compound of formula IVf. See, e.g., page 12 and Examples 1 and 2. A similar amendment was made to claim 1 (now allowed) in the prior Amendment filed September 30, 2003. Thus, these amendments do not require further search and/or consideration by the examiner. Entry of the amendments is respectfully requested.

Rejection Under 35 USC §102 or §103 in view of US 6,287,646 or EP 0 919 536

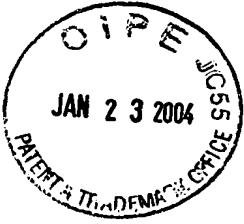
Claims 14, 31-33, and 36-37 are rejected as allegedly being anticipated or obvious in view of Takeuchi et al. (EP '536 or US '646). This rejection is respectfully traversed.

As discussed previously, Takeuchi et al. disclose cyanophenyl benzoate compounds of its formula (I) wherein R is H or alkyl having 1 to 7 carbon atoms, and X, Y, and Z are each H or F, and TN-LCD and STN-LCD liquid crystal display systems containing same. See column 3, lines 43-63. Takeuchi et al. also disclose a broad component B encompassing a vast number of compounds. See columns 7-8.

However, Takeuchi et al. fail to provide any motivation that would lead one to a liquid crystal medium containing compounds of applicants' Formula I and Formula IVf. See the liquid crystal mediums in the numerous examples of Takeuchi et al. None of these examples contain a compound having a trifluoro-phenyl group, let alone an ester compound in accordance with applicants' formula IVf.

In view of the above remarks, it is respectfully submitted that Takeuchi et al. fails to anticipate or provide sufficient motivation to lead one of ordinary skill in the art to an embodiment in accordance with applicants' claimed invention. Withdrawal of the rejection in view of Takeuchi et al. is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian P. Heaney", written over a horizontal line.

Brian P. Heaney (Reg. No. 32,542)
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
(703) 812-5308 [Direct Dial]
(703) 243-6410 [Facsimile]
Internet Address: heaney@mwzb.com

Filed: **January 23, 2004**
Attorney Docket No. **MERCK-2226**